

CITY OF BROOKHAVEN
PLANNING COMMISSION
FINAL MINUTES

October 4, 2017

Regular Meeting

7:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

A) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Stan Segal	Chairman	Present	
Shannon Cameron		Present	
John Funny		Present	
Bert Levy		Present	
Conor Sen		Present	
Michael Diaz		Present	
Madeleine Simmons		Present	

B) APPROVAL OF MINUTES

1. Approval of September 6, 2017 Planning Commission Work Session Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Funny
SECONDER:	Shannon Cameron
AYES:	Segal, Cameron, Funny, Levy, Sen, Diaz, Simmons

2. Approval of September 6, 2017 Planning Commission Regular Meeting Minutes

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Conor Sen
SECONDER:	John Funny
AYES:	Segal, Cameron, Funny, Levy, Sen, Diaz, Simmons

C) ORGANIZATIONAL AND PROCEDURAL ITEMS

There were no organizational or procedural items discussed.

D) UNFINISHED BUSINESS

There was no unfinished business discussed.

E) NEW BUSINESS

1. **Rezoning Ordinance (ID # 2861):** RZ17-05: Ashton Atlanta Residential, LLC - to Rezone the Subject Property from R-75 (Single Family) to RM-100 (Multifamily) to Allow 64 Townhomes - 1330 North Druid Hills Road

Ms. Abaray stated staff recommends approval conditional of the request.

Commissioner Funny motioned to extend speaker time for all parties to 20 minutes, and Commissioner Sen seconded. The vote was unanimously approved.

Carl Westmoreland, speaking on behalf of the applicant, reviewed the request and highlighted revisions to the site plan that would improve the subject property and the surrounding area. Highlighted measures included traffic improvements, an open green space area, an affordable housing component, and a stormwater detention area that would mitigate stormwater runoff. Mr. Westmoreland noted the proposed development was in keeping with the Character Area Study and the Comprehensive Plan, and would be in keeping with developments in the surrounding area. Mike Busher, also speaking on behalf of the applicant, noted the density of the proposed development was also reduced to address concerns raised by residents, and the green space consisted of 46% of the subject property.

Public comment opened.

Speakers in support:

Robert Dunn, 4129 Talbot Way

Benjamin Aune, 1279 Sylvan Circle

Speakers in opposition:

Oan Shim, 1405 Canooche Drive

Alana Vivolo-Kantor, 2370 Coosawattee Drive

Terrel Carstens, 2444 Oostanala Drive

Jack Hondered, 1408 Tugaloo Drive

Ricardo Kamenetzky, 1466 Canoochee Drive

Stephen Jeffery, 2234 Wayside Drive

Ben Jarrett, 1482 Sylvan Circle

Jenn Heath, 1412 Sylvan Circle

Commissioner Sen motioned to extend speaker time an additional two minutes for all parties, and Commissioner Simmons seconded. The vote was unanimously approved.

Mr. Westmoreland addressed concerns raised during public comment by noting the legal advertisement process was adhered to by both the applicant and the city, and notification letters were sent to residents that attended the community meetings. Traffic mitigation measures on Sylvan Circle were reiterated, and Mr. Westmoreland also noted several developments in the surrounding area that were consistent with the proposed development.

Public comment closed and board discussion began.

Board members asked about the improvements related to the request and the subject property. Mr. Westmoreland noted the traffic congestion on Sylvan Circle had been relocated to filter out onto North Druid Hills, and an additional right turn lane was also included to ease congestion. Stormwater retention was also included that did not currently exist on the subject property, and the green space was included that decreased the density of the proposed development. Board members also discussed whether the development was consistent with the Character Area Study and the Comprehensive Plan. Mr. Westmoreland summarized the development would serve as a transitional buffer between the single family homes and the apartment complexes in the surrounding area, and was consistent with both the Character Area Study and the Comprehensive Plan. Board members discussed whether or not another zoning designation would be appropriate for the subject property, and Ms. Abaray summarized designation is determined by both the Character Area Study and the Comprehensive Plan, as well as what is existing in the surrounding area.

Board discussion closed.

Revisions to condition #4 and condition #11 were discussed pending board approval. The conditions read as follows:

- 4. The maximum building height of the proposed single-family attached townhomes and 5-unit manor house shall not exceed 3 stories.
- 11. Owner/developer shall install an 8-foot privacy fence along the side property line adjacent to single-family detached dwellings to screen views of the proposed development from adjacent detached residents. There shall be no perimeter fences along the public right-of-way.

Commissioner Cameron motioned to defer RZ17-05 to the December 6 meeting, and Commissioner Levy seconded. The motion failed unanimously.

Commissioner Funny motioned to approve RZ17-05 with conditions, and Commissioner Sen seconded. The motion failed 1-6, with Commissioner Funny voting in favor of the motion.

Commissioner Levy motioned to deny RZ17-05, and Commissioner Simmons seconded. The motion passed 6-1.

RESULT:	RECOMMENDED UNFAVORABLY [6 TO 1]Next: 10/24/2017 7:00 PM
MOVER:	Bert Levy
SECONDER:	Madeleine Simmons
AYES:	Segal, Cameron, Levy, Sen, Diaz, Simmons
NAYS:	Funny

- 2. **Rezoning Ordinance (ID # 2862):** RZ17-06: the Ardent Companies - to Rezone the Subject Property from R-75 (Single Family) and RM-75 (Multifamily) to RM-75 (Multifamily) to Allow 22 Townhomes - 2070, 2080, 2088, & 2096 Pine Cone Lane and 2069 Coosawattee Drive

Ms. Abaray stated staff recommends approval conditional of the request.

Denn Webb, speaking on behalf of the applicant, reviewed the request and summarized the proposed development was consistent with other developments in the surrounding area, and was in keeping with the character of the neighborhood. It was also noted traffic would decrease by approximately 10%, and approximately 377 trees would be planted after construction was complete. Mr. Webb reserved the remaining speaker time for rebuttal and reiterated the desire to seek board approval.

There were no comment cards in support or opposition, and board discussion opened.

Staff confirmed for board members that the owner/developer would be required to dedicated 27.5 feet of right-of-way along Pine Cone Lane, and that they would be willing to increase the percentage of tree save area.

Board discussion closed.

Commissioner Levy motioned to add an additional condition pending board approval, and Commissioner Diaz seconded. The vote was unanimously approved, and the additional condition reads as follows:
The tree re-planting plan to be submitted by applicant shall exceed the current tree ordinance by 15%.

Commissioner Simmons motioned to approve RZ17-06 with amended conditions, and Commissioner Sen seconded. The vote was unanimously approved.

RESULT:	RECOMMENDED FAVORABLY [UNANIMOUS]Next: 10/24/2017 7:00 PM
MOVER:	Madeleine Simmons
SECONDER:	Conor Sen
AYES:	Segal, Cameron, Funny, Levy, Sen, Diaz, Simmons

F) ADJOURNMENT

Commissioner Cameron motioned to adjourn the meeting at 9:42 p.m., and Commissioner Sen seconded. The vote was unanimously approved.

APPROVED:

Stan Segal, Chairman

ATTEST:

Community Development

Approved